

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO. 3259 OF 2004
IN
FIRST APPEAL NO. 1770 OF 2005**

New India Assurance Co.Ltd. ... Appicant.
Versus.
Smt.Sunanda Manohar Thorve and ors. ... Respondents.

Shri S.M.Vidyarthi for the Applicant.

Shri Prashant Patil for Shri R.V.More for the
Respondents Nos.1 to 4.

CORAM : ABHAY S.OKA, J.

DATED : 3rd MARCH, 2006.

P.C.:

1. Heard the learned Advocates appearing for the Parties. Shri Vidyarthi appearing for the Applicant states that a sum of Rs.9,74,612/- has been deposited with the Tribunal in compliance with ad-interim order dated 17th September 2004. There is no dispute between the Advocates appearing for the parties that Respondents Nos.1 to 5 have withdrawn a sum of Rs.5 lakhs subject to furnishing security. Out of the balance amount, Respondents Nos.1 and 5 are permitted to withdraw Rs.50,000/- each without furnishing any security. The remaining amount will be invested by the Tribunal in fixed deposit in any nationalised bank initially for a period of 3 years. Thereafter the fixed deposit may be renewed on yearly basis till disposal of the Appeal.

: 2 :

The orders regarding disbursement of the amount invested and the interest accrued thereon will be passed at the time of final disposal of the First Appeal.

2. Civil Application disposed of in the above terms.

Judge.